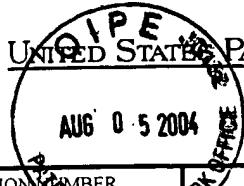


JRW



## UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NUMBER

10/766,033

FILING OR 371 (c) DATE

01/29/2004

FIRST NAMED APPLICANT

Soichi Shibata

ATTORNEY DOCKET NUMBER

43888-292

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

20277  
 McDERMOTT WILL & EMERY LLP  
 600 13TH STREET, N.W.  
 WASHINGTON, DC 20005-3096

## CONFIRMATION NO. 2438

## FORMALITIES LETTER



\*OC000000012938298\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/06/2004 SMINASSI 00000075 500417 10766033

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 770.00 DA  
 02 FC:1051 130.00 DA

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

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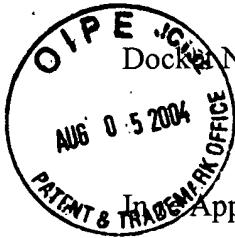
*A copy of this notice **MUST** be returned with the reply.*

*Finalist*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Docket No.: 43888-292

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of : Customer Number: 20277  
Soichi SHIBATA, et al. : Confirmation Number: 2438  
Serial No.: 10/766,033 : Group Art Unit: 1745  
Filed: January 29, 2004 : Examiner:  
For: POLYMER ELECTROLYTE FUEL CELL

**RESPONSE TO NOTICE  
OF MISSING PARTS OF APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Missing Parts of Application dated June 14, 2004, submitted herewith are the following documents for filing in the above-referenced application:

1. Declaration and Power of Attorney (which is in compliance with 37 CFR 1.63)
2. Statutory Basic filing fee of \$770.00
3. Late Filing Fee Surcharge of \$130.00
4. Assignment and recordation fee of \$40.00 (On Separate Postcard)

Please charge Deposit Account No. 500417 in the amount of \$900.00. To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. 1.136.

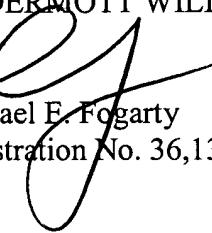
**10/766,033**

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

It is requested that the official filing receipt now be issued.

Respectfully submitted,

MCDERMOTT WILL & EMERY LLP

  
Michael E. Fogarty  
Registration No. 36,139

600 13<sup>th</sup> Street, N.W.  
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**Date: August 5, 2004**